

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JEAN ABELARD and GEUERDA)	
ABELARD as Administrators and)	
Prosequendum for the Estate of)	
MARVEN ABELARD,)	
)	CIVIL ACTION FILE
Plaintiffs,)	
)	NO. _____
v.)	
)	
CLEAN EARTH, INC., SANDVIK,)	
INC., AND ABC CORPS 1-10 (fictitious)	
entities);)	
)	
Defendants.)	
)	

CERTIFICATE OF NON-ARBITRABILITY

Beth S. Rose, of full age, certifies that pursuant to L. Civ. R. 201.1, the within matter is not arbitrable because the Complaint appears to seek compensatory damages in excess of \$150,000, as outlined in the Notice of Removal.

Dated: August 30, 2016

Respectfully submitted,

SILLS CUMMIS & GROSS P.C.

By: s/ Beth S. Rose
Beth S. Rose
The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102

Attorneys for Defendant Sandvik, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2016, I caused to be served a true and correct copy of Defendant's Certificate of Non-Arbitrability by U.S. Mail, first-class, postage prepaid, and addressed to the following counsel and party of record:

David Mazie, Esq.
Mazie Slater Katz & Freeman, LLC
103 Eisenhower Parkway
Roseland, NJ 07068
Attorneys for Plaintiffs

Eric S. Aronson, Esq.
Greenberg Traurig
500 Campus Drive
Suite 400
Florham Park, NJ 07932-0677
Attorneys for Clean Earth, Inc.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

s/ Beth S. Rose
BETH S. ROSE

Dated: August 30, 2016